



DECISION ON ADMISSIBILITY

CASE No. CH/00/6065

Nedeljko SIMIĆ

against

THE REPUBLIKA SRPSKA

The Human Rights Chamber for Bosnia and Herzegovina, sitting as the First Panel on 12 October 2000 with the following members present:

Ms. Michèle PICARD, President
Mr. Andrew GROTRIAN, Vice President
Mr. Dietrich RAUSCHNING
Mr. Hasan BALIĆ
Mr. Rona AYBAY
Mr. Želimir JUKA
Mr. Miodrag PAJIĆ

Mr. Peter KEMPEES, Registrar
Ms. Olga KAPIĆ, Deputy Registrar

Having considered the aforementioned application introduced pursuant to Article VIII(1) of the Human Rights Agreement (“the Agreement”) set out in Annex 6 to the General Framework Agreement for Peace in Bosnia and Herzegovina;

Adopts the following decision pursuant to Article VIII(2)(c) of the Agreement and Rules 49(2) and 52 of the Chamber’s Rules of Procedure:

I. INTRODUCTION

1. The application was introduced on 25 August 2000. The applicant requested the Chamber to order the respondent Party, as a provisional measure, to annul decisions on provisional measure issued on 7 April, 31 May and 27 July 2000 by the Court of First Instance in Prnjavor. On 12 October 2000 the Chamber decided not to order the provisional measure requested.
2. The applicant complains of decisions on provisional measure issued by the Court of First Instance in Prnjavor ordering the applicant to allow his neighbour to pass over his land.

II. OPINION OF THE CHAMBER

3. In the light of all the material in its possession the Chamber finds that they do not disclose any appearance of a violation of the rights and freedoms guaranteed under the Agreement. It follows that the application is manifestly ill-founded and must be rejected, in accordance with Article VIII(2)(c) of the Agreement.

III. CONCLUSION

4. For these reasons, the Chamber, unanimously,

DECLARES THE APPLICATION INADMISSIBLE.

(signed)
Peter KEMPEES
Registrar of the Chamber

(signed)
Michèle PICARD
President of the First Panel